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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,062	10/17/2003	Charles A. McBrien	M060	8145
59061 7590 02/25/2008 FULBRIGHT & JAWORSKI, LLP (ADOBE) 2200 ROSS AVENUE SUITE 2800 DALLAS, TX 75201-2784				
EXAMINER SWEARINGEN, JEFFREY R				
ART UNIT		PAPER NUMBER		
2145				
MAIL DATE		DELIVERY MODE		
02/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/688,062

Applicant(s)

MCBRIAN ET AL.

Examiner

Jeffrey R. Swearingen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1. This case has been reassigned to a new examiner.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 rejected under 35 U.S.C. 102(e) as being anticipated by Nakano et al. (US 6,792,454 B2).

5. In regard to claim 1, Nakano disclosed:

detecting an index page of said server; column 22, lines 21-29

creating a staging folder within a file system of said server, wherein each staging folder

does not default to a directory listing of said file system when accessed; column 2, lines 48-52

inserting a randomized string into a name of said file assets to be staged; and column 8,

lines 18-29, lines 52-62

storing said file assets in said staging folder. Column 6, lines 40-58

6. In regard to claim 2, Nakano disclosed:

communicating said name with said inserted randomized string to a reviewing party.

Column 6, lines 26-40

7. In regard to claim 3, Nakano disclosed:

creating a temporary folder to a root directory of said live server; column 7, lines 1-7

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writing a page of content to said temporary folder according to one of a plurality of standard addresses; column 7, lines 1-7

attempting to access said temporary folder over hypertext transfer protocol (HTTP) from said server; column 5, line 11

writing said page of content to said temporary folder using another of said plurality of standard addresses when said file cannot be read in said attempting step; and column 6, lines 51-58

validating said one of said plurality of standard addresses when said index page is read back in said attempting step. Column 7, lines 1-7

8. In regard to claim 4, Nakano disclosed:

said plurality of standard addresses is stored on a memory accessible by a development environment. Column 8, lines 18-37

9. In regard to claim 5, Nakano disclosed:

generating a blank index file named according to said detected index file; and column 11, lines 6-14

storing said blank index file in said staging folder, wherein said blank index file inhibits default directory listing of said staging folder in said file system. Column 11, lines 16-62

10. In regard to claim 6, Nakano disclosed:

generating said randomized string prior to said inserting step. Column 11, lines 36-41

11. In regard to claim 7, Nakano disclosed:

determining a length of said randomized string, wherein said length corresponds to a desired level of security. Column 8, lines 52-62

12. Claim 8 has substantially the same limitations as claims 1 and 9.

13. Claim 9 has substantially the same limitations as claim 3.

14. Claim 10 has substantially the same limitations as claim 4.

15. Claim 11 has substantially the same limitations as claim 5.

16. Claim 12 has substantially the same limitations as claim 6.

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- 17. Claim 13 has substantially the same limitations as claim 7.
- 18. Claim 14 has substantially the same limitations as claims 1 and 5.
- 19. Claim 15 has substantially the same limitations as claim 2.
- 20. Claim 16 has substantially the same limitations as claim 3.
- 21. In regard to claim 17, Nakano disclosed:

retrieving a next index address from said plurality of standard index addresses when said test document is not retrieved during said requesting step; column 9, lines 21-40

writing said test document to said temporary folder using said next index address; column 9, lines 21-40

requesting said next test document from said live Web server; column 9, lines 21-40

marking said next index address valid when said test document is retrieved during said requesting said next index step; and column 9, lines 21-40

repeating from said retrieving said next index step when said next test document is not retrieved during said requesting said next index step. Column 9, lines 21-40

- 22. In regard to claim 18, Nakano disclosed:

determining a level of security for said proposed file content; column 8, lines 52-62

establishing a number of characters for said randomized string responsive to said determined level of security; and column 8, lines 52-62

generating a random character for each of said number of established characters.

Column 8, lines 52-62

- 23. In regard to claim 19, Nakano disclosed:

said server serving said file assets to users who access said staging folder. Column 7, lines 1-7

- 24. In regard to claim 20, Nakano disclosed:

said staging folder is not discoverable through a default directory listing of said file system by said server. Column 6, lines 40-58; column 7, lines 1-7

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakano et al. US 6,505,212

Marullo et al. US 6,185,701

Marullo et al. US 6,044,398

Shrader et al. US 6,151,599

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571)272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey R. Swearingen
Examiner
Art Unit 2145

JRS

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145